



## **CALIFORNIA VETERANS BOARD**

### **Meeting Minutes #690**

**July 6, 2006**



**Chairman Vernon Chong**  
**Randal Bressette, Vice Chairman**  
**Leo P. Burke, Board Member**

**Jake I. Alarid, Board Member**  
**Alice Astafan, Board Member**  
**Colin Shadell, Board Member**

The California Veterans Board met at Barstow Veterans Home, Barstow, California at 3:00 p.m.

### **ROLL CALL**

Present: Board Members Vernon Chong, Chairman, Randal Bressette, Vice-Chairman, Jake I. Alarid, Member, Alice Astafan, Member, Leo P. Burke, Member, Colin Shadell

Absent: None

Chairman Chong presided

Chairman Chong welcomed Deputy Secretary and Chief Legal Counsel Rob Wilson, and noted that Mr. Wilson will be acting as the Board's legal advisor and counsel for the meeting.

### **PLEDGE OF ALLEGIANCE**

Randal Bressette, Pledge of Allegiance

### **CLOSED SESSION**

### **OPEN SESSION**

Chairman Chong welcomed everyone and thanked them for attending the meeting. He introduced the members of the Board and provided background on each Board member. He also introduced Robert Wilson, Deputy Secretary and Chief Legal Counsel and J.P. Tremblay, Deputy Secretary for Communications and Legislation from Veterans Affairs, and Louis Koff, Administrator, Barstow Veterans Home.

#### **1. Travel Claims – CALATERS**

Chairman Chong asked if all of the Board was familiar with the CALATERS program. He gave the members the option of using the program or sending it in for the Executive Officer to complete their travel claims.

#### **2. Schedule of Board Meetings**

Chairman Chong referred to the list of meetings scheduled for the remainder of the year and a list of proposed meeting sites for 2007 included in the Board book. The proposed schedule would allow for the Board to meet in each home once a year, with the exception of Barstow. Scheduling the meetings for every other month would allow for additional meetings in locations to accommodate appeals. Mr. Bressette extended an invitation from the City of Laguna Hills to use their community center when meeting in Orange County. The

Minutes located at [www.cdva.ca.gov/board](http://www.cdva.ca.gov/board)

Sacramento meeting is scheduled in October to be held in conjunction with the Secretary's conference. Chairman Chong will work on identifying dates for the 2007 meetings, as well as projecting a schedule for 2008.

Chairman Chong queried the Board whether they would like to have next month's meeting be held to one day, or extended to two days. He will speak with Marcella McCormack, who will be speaking at the meeting, to determine how much time she feels will be necessary and report back to the Board.

### **3. Meeting Agenda and Format**

Chairman Chong advised the attendees of the meeting that the format would be changed to allow veterans to speak in the beginning of the meeting instead of the end, and will no longer have a three minute time limit. This will allow for a more interactive comment, question and answer session. At most meetings the Secretary will be reporting on what the Department is doing and will afford the veterans an opportunity to be able to answer questions. To reflect this, the title of the meeting has been changed to "California Veterans Board Meeting and Department of Veterans Affairs Forum".

The Cal Vets, Post 700 volunteered their Color Guard to present the colors when the Board meets in Chula Vista.

### **4. Mission Statement**

Chairman Chong read the current California Veterans Board Mission Statement. He then read his draft of a new proposed mission statement including goals and objectives and then read his draft of a new proposed mission statement.

Member Bressette reminded the Board that he had been appointed with Member Alarid as a subcommittee to develop language for a mission and vision statement. He distributed copies and read what they had drafted.

Member Astafan recommended having a newsletter from the Chairman to be sent out to vets after each meeting.

Chairman Chong would like to have the mission statement published and posted at each home so that the veterans are informed about the purpose of the Board.

It was agreed that everyone will provide their input on the two statements to the Executive Officer by August 1<sup>st</sup> and include this item on next month's agenda.

### **5. Goals and Objectives**

This item was included under #4 Mission Statement.

### **6. Advocacy Role**

The Board discussed the many roles of advocacy they could participate in. CC questioned whether any change was needed. The group discussed how to improve the process of notifying veterans of Board meetings and encouraging them to attend.

### **7. Committee Structure and Assignments**

Member Bressette reviewed a proposed reorganization of the committee structure that he and Member Alarid prepared.

Chairman Chong questioned whether someone from the Department could sit on one of the committees, and Chief Legal Counsel, Mr. Wilson replied that he did not see a legal problem with it. It was also suggested that the Allied Counsel be included under the committee structure.

It was decided that each member would let the Executive Officer know their thoughts on the structure, and it will be redrafted by Member Bressette and be included on next month's agenda. Member Bressette directed the Executive Officer to contact each member to ask which committee they would like to serve on and present the results to the Chairman.

The Board discussed the requirements, and how to go about filling the vacant Board position.

**MEETING ADJOURNED AT 6:00 P.M.**



## **CALIFORNIA VETERANS BOARD**

### **Meeting Minutes #691**

**July 7, 2006**



**Chairman Vernon Chong**  
**Randal Bressette, Vice Chairman**  
**Leo P. Burke, Board Member**

**Jake I. Alarid, Board Member**  
**Alice Astafan, Board Member**  
**Colin Shadell, Board Member**

The California Veterans Board met at the Barstow Veterans Home, Barstow, California at 9:00 a.m.

### **ROLL CALL**

Present: Board Members Vernon Chong, Chairman, Randal Bressette, Vice-Chairman, Alice Astafan, Member, Leo P. Burke, Member, Colin Shadell, Member

Absent: Jake I. Alarid (Excused)

Chairman Chong presided

### **OPENING CEREMONIES**

- A) INVOCATION**
- B) PLEDGE OF ALLEGIANCE**
- C) OPENING REMARKS BY CHAIR**

Chairman Chong read a resolution honoring William D. Jackson for his service on the California Veterans Board.

### **WELCOMING REMARKS/INTRODUCTIONS**

Chairman Chong welcomed everyone and thanked them for attending the meeting. He introduced the members of the Board and provided background on each Board member, as well as introducing the new Executive Officer, Bonnie Kelly. Chairman Chong introduced Mr. Tom Johnson, the Secretary of the Department of Veterans Affairs for the State of California.

Mr. Johnson introduced Deputy Secretary and Chief Legal Counsel Rob Wilson and Deputy Secretary for Communications and Legislation J.P. Tremblay, of the Department of Veterans Affairs and Administrator Louis Koff, of Barstow Veterans Home.

### **MINUTES**

Executive Officer, Bonnie Kelly

### **RECOMMENDATION**

Approve the minutes of the previous meeting held May 11 and 12, 2006

Board member Bressette moved to approve May 11 and 12, 2006 minutes. Board member Astafan seconded. The vote was as follows:

AYES: Board members Astafan, Bressette, Burke, Chong, and Shadell.

NOES: None

Absent: Jake Alarid

Chairman declared the motion carried.

## **PUBLIC COMMENT**

## **OLD BUSINESS**

### **1. Policy A-4.1. Production of Records by Division of Appeals**

This policy was initiated by our past Counsel, Howell Jackson to prescribe policies and procedures for the Department of Veterans Affairs in producing the records on appeals to the California Veterans Board.

#### **RECOMMENDATION**

Board member Astafan moved for adoption of Policy A-4.1. Board member Bressette seconded.

AYES: Board members Astafan, Bressette, Burke, Chong, and Shadell.

NOES: None

Absent: Jake Alarid

Chairman declared the motion carried. (Policy attached)

### **2. Policy A-13. Leave From the Department to Make Late Applications**

This policy will allow for veterans, their spouses, dependents and survivors to seek permission to file a late application for benefits and to provide for Board review of any adverse decision on such an application.

#### **RECOMMENDATION**

Board member Bressette moved for adoption of Policy A-13. Board member Burke seconded.

AYES: Board members Astafan, Bressette, Burke, Chong, and Shadell.

NOES: None

Absent: Jake Alarid

Chairman declared the motion carried. (Policy attached)

### **3. Policy C-12. Resident Participation in Health Service Plans**

The purpose of this policy is to maximize resident participation in federal, state, and private health service plans and to ensure that the Department seeks reimbursement for health care that is provided to the residents of the California Veterans Nursing Homes.

Chairman Chong requested Chief Counsel Mr. Wilson to explain this policy. After discussion, Secretary Johnson and Mr. Wilson agreed that this policy could be wordsmithed and brought back to the August meeting.

#### **RECOMMENDATION**

Table this policy and return it for next month's agenda.

### **4. Status of Board Operational Planning and Discussions**

This item refers to the schedule, agenda, format, and advocacy of the board and improving how it operates. Chairman Chong advised the attendees that the format would be changed to allow veterans to speak in the beginning of the meeting instead of the end, and that there will no longer be a three minute time limit. This will allow for a more interactive comment, question and answer session. At most meetings the Secretary or Under Secretary will be reporting on what the Department is doing and will afford the veterans an opportunity to be able to ask questions.

## **DEPARTMENT UPDATE**

Secretary Johnson noted that there are 128 state homes around the country caring for 52% of all of our veterans who are in a long term care facility. He also advised the Department is working with the federal government to educate them about levels of care and moving toward more residential care for the elderly.

### **1. Privacy Protection Initiative**

Secretary Johnson announced that the U.S. Department of Veterans Affairs' computer and hard drive that had been stolen were recovered. California is the only state in the union that has an office of Privacy Protection. J.P. Tremblay, from our Department, joined with the Privacy Protection and Consumer Affairs Office to put together and conduct seminars statewide to help veterans understand the laws in California and what the recommendations are to prevent identity theft.

### **2. GLAVC Project (Greater Los Angeles Veterans Center)**

The consultants will complete the 95% drawings for West Los Angeles by August and we are also on target with our service agreements for food, nutrition and laundering supplies. That is three of the five service agreements we want to have completed by the end of August. The other two are pharmacy and medical services, which are close to completion.

The most critical issue now is not our state; it's what is happening back in Washington with the USDVA and with their budget. There is only \$85,000,000 scheduled for state home construction and state home safety issues in the budget. The other issue is what percentage of that money goes to new homes versus life safety issues. It's a congressional issue in that the budget does not include enough money for the state home grants program, and secondly, it's an internal issue with USDVA about how to allocate that money towards new homes, versus life safety issues. Fortunately, we've gotten in early with our position on this and our approvals from USDVA. We are #13, 14 and 15 on their list and #1, 2 and 3 as far as priority group 1, 2, 3. Only a year ago, we were 50 and 60 on the list with a couple of our projects, and now we're up at the top with our GLAVC, Fresno and Redding facilities.

On July 1<sup>st</sup> we sent in our letter of request for conditional approval, which is two weeks earlier than required. We have been conditionally awarded \$163,431.00 for the GLAVC project. It will be signed by the Secretary sometime in September or October, which gives us six months to present to the Secretary our bids for the project.

We've also received a letter from our colleagues at General Services spelling out what their role is in the sharing agreements. The sharing agreements are crucial to the acceptance of the land. They are the seat of the quit claim deed which gives us the land in West Los Angeles. We've also received, as of June 27, a letter from the Director of Finance for the State of California outlining their position with regard to the sharing agreements. Both letters have been provided to West Los Angeles. This was part of our team building that we needed to do with our colleagues in West Los Angeles. The preliminary plans for Fresno and Redding are done, but the U.S. Department of Veterans Affairs Secretary is not satisfied with them, so we will be re-working them and, hopefully, have them done within a month. The timeline for

beginning Fresno and Redding stated that we would begin construction in May 2008, and we're currently a year ahead of that schedule. This is due to the design build method of construction..

### **3. Barstow "6 Year" Plan**

In 1994, the USDVA signed a grant for the Barstow Veterans Home. The Secretary talked about re-building the trust and coming up with the six year plan to move forward. Skilled nursing is an important component of a residential community, and that is in the plan. This year the budget does include building back the next increment of another twenty veterans for the intermediate care facility. Marketing will help to inform people about the opportunities at Barstow. The Secretary complimented the staff at Barstow for the work they're doing to support the plan.

### **4. Legislation of Interest**

#### **a) Cemetery Bill – AB 3035**

This is a bill that would allow a foundation endowment to potentially cover all of the operational costs attendant to a cemetery at Fort Ord. The endowment would be put together by local service organizations and community groups that would cover all of the operational costs. The State would be the entity that would apply for a grant, but operationally it would be paid for by the endowment. The Secretary feels that the State is not in the cemetery business. We have a state cemetery in Redding that is embraced by the community, where there are no other options. Our priority is state homes and we will focus our energies toward that end.

#### **b) Nursing Bill**

Secretary Johnson advised that the Department was able to provide input into this bill. It is unsure whether it will be signed since it's still on the table. The Governor's budget had a scholarship loan forgiveness program in this bill that was removed by the legislature. This program would have helped us recruit nurses. If a nurse went to work for us for a period of four years, up to \$20,000 could be forgiven toward their loan. The legislature, however, did put in their own version of this program. We're hopeful it will be signed in July.

### **5. Department Update**

The Secretary distributed and reviewed the major highlights of the 2006-07 budget. Member Astafan requested a short briefing in the future from the Secretary on the \$250,000 increase of funding for outreach. She wanted to have a report on how those dollars are expected to be used, and how the value will be measured.

The Secretary announced that for the first time, a quasi government group is being interviewed this week. This group will go through the Department's budget process and give us advice on how to improve it, and create an educational process for some of those agencies from which we have had questions..

The Secretary called attention to the Cal Vet program's 6.5% interest rate put in effect July 6. He warned that we could potentially run out of money by September if we don't take action now with regard to our high interest rate. There are plans to go back to the market and the federal authorities this fall to see what improvements we can make. In May we lost \$364,000 on our Cal Vet Program, whereas last year we lost \$2,000,000. We are continuing to move down our administrative expenses. Overall for the eleven months ending this year, our administrative expenses are \$3,000,000 less than last year.

With regard to the current homes, the Secretary was pleased to note that there are discussions going on in



Barstow to restore the nursing programs at the college. At Yountville, there are an enormous amount of projects going on. At Chula Vista there is a new skilled nursing administrator who was appointed by the Governor.

Secretary Johnson presented a letter to Chairman Chong requesting a member of the Board be appointed to the Vet Fund.

Chief Counsel Wilson referred to a 1998 sexual harassment case by a nurse at a home against a resident listed in the Significant Matters Report whereby it was determined that employers could be held liable for harassment of customers. This means that residents in homes cannot sexually harass staff members or the Department can be held liable.

## **NEW BUSINESS**

Policy C-2, Disqualifying Conditions for admission to Veterans Homes will have to be revised if Policy C-12, Resident Participation in Health Service Plans, is approved.

## **LEGISLATIVE UPDATE**

No legislative issues were discussed.

## **COMMENTS BY BOARD MEMBERS**

Member Bressette thanked the Chairman for taking the reins in the absence of the Executive Officer.

**MEETING ADJOURNED AT 11:45 a.m.**